

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ROBERT DYKES,

Plaintiff,

v.

BILLIE ORSBOURNE, et. al.,

Defendants.

Case No. 2:21-cv-113

Hon. Hala Y. Jarbou

ORDER

In accordance with the opinion entered this date:

IT IS ORDERED that the report and recommendation (“R&R”) of the magistrate judge (ECF No. 53) is **ADOPTED IN PART** and **REJECTED IN PART** as the opinion of the Court. The R&R is **REJECTED** insofar as it concludes (1) that Defendants’ alleged retaliatory decision to not rehire Dykes-Bey onto his unit porter job fails as a matter of law and (2) that Defendants are protected by qualified immunity on the same claim.

IT IS FURTHER ORDERED that Defendants’ motion for summary judgment (ECF No. 40) is **GRANTED IN PART** and **DENIED IN PART**. It is **DENIED** insofar as it relates to Dykes-Bey’s retaliation claim related to his unit porter job and **GRANTED** for all other claims.

In light of the foregoing, the only claim remaining is Dykes-Bey’s retaliation claim related to his unit porter job. All parties remain in the case.

Dated: November 27, 2023

/s/ Hala Y. Jarbou

HALA Y. JARBOU

CHIEF UNITED STATES DISTRICT JUDGE